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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

October 1, 2002

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Federal Communications Commission
Office of the Secretary

The Honorable Chairman Powell
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

I urge the FCC to implement **an** opt-out regime for bidders in Auction 35. The \$1 **6** billion contingent liability on the books of almost **all** the major carriers in the wireless industry is harming consumers, stifling investment, and slowing potential recovery of this important industry sector. It seems unfair to keep stale bids in force as the litigation drags on.

In the period since the end of Auction 35, in **January** 2001, to **July** of this year the telecommunications industry laid off nearly a quarter of a million workers. Allowing opt-out can help reverse this decline, and stimulate job growth by freeing **up \$16** billion in wireless industry capital.

Please expedite this matter so that the wireless industry can get back to the business of serving customers. Thank you for giving this request all appropriate consideration.

Sincerely,

Greg Ganske
Member of Congress

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